

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JUAN ARTURO NAMUR-	:	CRIMINAL ACTION NO.
MONTALVO,	:	1:05-CR-477-16-CC
	:	
Petitioner,	:	
	:	CIVIL ACTION NO.
vs.	:	1:11-CV-0897-CC
	:	
UNITED STATES OF AMERICA,	:	MOTION TO VACATE
	:	28 U.S.C. § 2255
Respondent.	:	

ORDER

This matter is before the Court on the Final Report and Recommendation [Doc. No. 1620] issued by Magistrate Judge Gerrilyn G. Brill on August 8, 2012, recommending that Petitioner Juan Arturo Namur-Montalvo's motion to vacate sentence and a certificate of appealability be denied. The record reflects that no objections to the Final Report and Recommendation have been filed and that the time permitted for filing any such objections has elapsed.

Having conducted a plain error review in accordance with United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983), the Court finds that the Final Report and Recommendation is correct both in fact and in law. Accordingly, the Court **ADOPTS** the Final Report and Recommendation as the decision of this Court. The Court hereby **DENIES** Petitioner's motion to vacate sentence [Doc. No. 1514] and **DENIES** the issuance of a certificate of appealability.

SO ORDERED this 28th day of August, 2012.

s/ CLARENCE COOPER

CLARENCE COOPER
SENIOR UNITED STATES DISTRICT JUDGE